

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ADAM BROOK,

Plaintiff,

– *against* –

JOSEPH RUOTOLO, ESQ., *et al.*,

Defendants.

ESTATE OF JUDITH BROOK *and*
ADAM BROOK,

Plaintiffs,

– *against* –

MONITOR/ME, LLC, *et al.*,

Defendants.

ORDER

22-cv-6173 (ER)

23-cv-1319 (ER)

Ramos, D.J.:

On August 21, 2023, the Court dismissed all of Plaintiffs’ claims in both actions for lack of subject matter jurisdiction and closed the cases. Doc. 143 (“the Opinion”). On September 4, 2023, Plaintiffs moved for re-argument and reconsideration of the Opinion. Doc. 147.

“A motion for reconsideration is not an opportunity for a petitioner to relitigate an issue already decided.” *Ethridge v. Bell*, 49 F.4th 674, 688 (2d Cir. 2022) (internal quotation marks and citation omitted). Rather, the party must “present controlling decisions or facts that the court originally overlooked” that “might reasonably be expected to alter the [Court’s] conclusion” because “a mere disagreement with the Court’s legal determination is not a valid basis for reconsideration.” *In re M/V Rickmers Genoa Litig.*, Nos. 05-cv-4261 (LAP), 05-cv-6226 (LAP),

05-cv8841 (LAP), 05-cv-9472 (LAP), 2011 U.S. Dist. LEXIS 154420, at *8 (S.D.N.Y. July 8, 2011) (internal citations omitted).

Plaintiffs have failed to do so. Plaintiffs merely rehash the same arguments raised in opposition to the motions to dismiss—namely that the Court has jurisdiction, and Plaintiffs properly stated a § 1983 claim, because the defendants were state actors by virtue of both their actions in furtherance of a conspiracy with a New York judge and their positions as court-appointed. *See* Doc. 148 (Pls.’ Mem. of L.). Plaintiffs failed to identify any facts or law that would change the Court’s conclusions. *See id.*

Accordingly, Plaintiffs’ motion for reconsideration is DENIED. The Clerk of Court is respectfully directed to terminate the motion, Doc. 147.

SO ORDERED.

Dated: September 7, 2023
New York, New York

A handwritten signature in blue ink, appearing to read 'Edgardo Ramos', is written above a horizontal line.

Edgardo Ramos, U.S.D.J.